



410  
3-30-04  
P.C.

Docket No.: M4065.0792/P792  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Anders Andersson

Application No.: 09/595,592

Confirmation No.: 2057

Filed: June 15, 2000

Art Unit: 2612

For: ACTIVE PIXEL SENSOR (APS) READOUT  
STRUCTURE WITH AMPLIFICATION

Examiner: R. N. Tillery

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

MAR 29 2004

Dear Sir:

Technology Center 2600

In response to the election requirement mailed March 23, 2004 (paper no. 9),  
Applicant hereby provisionally elects with traverse the species of Figure 1. At least  
claims 1-5 read on the elected species.

Applicant's election is made without prejudice. As noted by the Examiner,  
upon the allowance of a generic claim, Applicant will be entitled to consideration of  
claims to not more than two species in addition to the elected species, provided that all  
claims to each additional species are written in dependent form or otherwise include all  
the limitations of an allowed generic claim as provided by 37 CFR 1.146. The Examiner  
has indicated that claim 1 is generic.

Given the circumstances of this case, it would not be a serious burden for the

Examiner to examine the remaining 12 claims in the application together with the elected claims at this time. These claims are directed to, among other things, similar circuitry and the search for the claims of the species related to Figure 1 would necessarily overlap the search for the remaining species; thus, no undue burden would be involved in examining these claims together.

M.P.E.P. § 803 directs as follows (emphasis added): "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." This directive should be followed by the Examiner in this case. Accordingly, it is respectfully requested that the election of species requirement be withdrawn and claims 1-17 be examined together in this application.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

Dated: March 26, 2004

Respectfully submitted,

By   
Thomas J. D'Amico

Registration No.: 28,371

Gianni Minutoli

Registration No.: 41,198

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

2101 L Street NW  
Washington, DC 20037-1526  
(202) 785-9700

Attorneys for Applicant